VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: EQUITABLE PRODUCTION COMPANY,

a West Virginia Corporation

VIRGINIA GAS AND OIL BOARD

01-1218-0996

DOCKET NO.

RELIEF SOUGHT:

POOLING OF INTERESTS IN A 80.00-ACRE DRILLING UNIT DESCRIBED IN EXHIBIT A HERETO LOCATED IN THE ROARING FORK COALBED METHANE GAS

FIELD AND SERVED BY WELL NO.)
VC-504929 (herein "Subject Drilling)

Unit") PURSUANT TO VA. CODE §§ 45.1-361.21 AND 45.1-361.22, FOR THE PRODUCTION OF OCCLUDED NATURAL GAS PRODUCED FROM

COALBEDS AND ROCK STRATA ASSOCIATED)
THEREWITH (herein "Coalbed Methane")

Gas" or "Gas")

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LEGAL DESCRIPTION:

SUBJECT DRILLING UNIT SERVED BY WELL NO.

VC-504929 (herein "Well") TO BE DRILLED IN

THE LOCATION DEPICTED ON EXHIBIT A HERETO,

C.A. DAY HEIRS, OIL & GAS, 60 ACRE TRACT

FLAT GAP QUADRANGLE

GLADEVILLE MAGISTERIAL DISTRICT

WISE COUNTY, VIRGINIA

(the "Subject Lands" are more particularly

described on Exhibit "A", attached hereto and

made a part hereof)

REPORT OF THE BOARD

FINDINGS AND ORDER

- 1. <u>Hearing Date and Place</u>: This matter came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on December 18, 2001, Southwest Virginia Higher Education Center, Campus of Virginia Highlands Community College, Abingdon, Virginia.
- 2. <u>Appearances</u>: James E. Kaiser of Wilhoit & Kaiser, appeared for the Applicant; and Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
- 3. <u>Jurisdiction and Notice</u>: Pursuant to Va. Code §§ 45.1-361.1 <u>et seq</u>., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of each gas and oil owner, coal owner, or mineral owner and/or potential owner, i.e., person identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all Pennsylvania-aged coals from below the top of the Hagy, including, but not limited to Upper Splashdam, Upper Banner, Middle Banner, Kennedy, Raven, Jawbone, Upper Seaboard, Greasy Creek, Unnamed A, and any other unnamed coal seams, coalbeds and rock strata associated with formations known as the Roaring Fork Coalbed Methane Gas Field

ENTERED

(hereafter "Subject Formations") in the Subject Drilling Unit underlying and comprised of Subject Lands; (2) has represented to the Board that it has given notice to those parties so identified (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the application filed herein; and (3) that the persons set forth in Exhibit B are identified by Applicant as persons who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formations in the Subject Drilling Unit, underlying and comprised of Subject Lands. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

- 4. Amendments: None.
- 5. Dismissals: None.
- 6. Relief Requested: Applicant requests that: (1) pursuant to Va. Code 3 45.1-361.22, including the applicable portions of § 45.1-361.21, the Board pool the rights, interests and estates in and to the Gas in the Subject Drilling Unit, including those of the Applicant and of the known and unknown persons named in Exhibit B hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas produced from the Subject Drilling Unit established for the Subject Formations underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "well development and/or operation in the Subject Drilling Unit"); and, (2) that the Board designate Equitable Production Company as the Unit Operator.
- Relief Granted: The requested relief in this cause be and hereby is granted and: (1) pursuant to Va. Code Ann. > 45.1-361.21.C.3, Equitable Production Company (hereafter "Unit Operator" or "Operator") is designated as the Unit Operator authorized to drill and operate Well VC-504929 in Subject Drilling Unit, subject to the permit provisions contained in Va. Code §§ 45.1-361.27, et seq.; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; to >> 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; and to the Roaring Fork Coalbed Methane Gas Field Order entered by the Board on May 31, 1994, all as amended from time to time; and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including those of the Applicant and of the known and unknown persons listed on Exhibit B, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, leased or unleased, be and hereby are pooled in the Subject Formations in the Subject Drilling Unit underlying and comprised of the Subject Lands.

Subject	Unit Size	Permitted	Field and	Order
Formation		Well Location	Well Classification	<u>Number</u>
All Pennsyl- vanian aged coals from the top of the Hagy, including but not limited to Upper Splash- dam, Upper Banner, Middl Banner, Kenne Raven, Jawbon Upper Seaboar Greasy Creek,	e dy, e, d,	Well VC-504929 to be located as depicted on Exhibit A Depth: 2,012 feet.	Roaring Fork Coalbed Methane Gas Field	VGOB Order for the Roaring Fork Coal- bed Methane Gas Field entered May 31, 1994.

For the Subject Drilling Unit underlying and comprised of the Subject Land Served by Well No. VC-504929

Wise County, Virginia

8. Election and Election Period: In the event any Gas Owner or Claimant named in Exhibit B has not reached a voluntary agreement to share in the operation of the well to be located in Subject Drilling Unit at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 herein to the Unit Operator at the address shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the Unit Operator at the address shown below or has duly postmarked and placed his written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. <u>Election Options</u>:

Unnamed A, and any other unnamed coal seams, coalbeds and rock strata, associated with formations known as the Roaring Fork Coalbed Methane Gas Field.

9.1 Option 1 - To Participate In The Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B who has not reached a voluntary agreement with the Unit Operator may elect to participate in the well development and operation of the

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Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs, including a reasonable supervision fee, of the well development and operation in the Subject Drilling Unit, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed for Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Estimated, Completed-for-Production Costs as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The estimated Completed-for-Production Costs for the Subject Drilling Unit are as follows:

Estimated, Completed-for-Production Costs (Multiple Completion):

\$179,020.00

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operator's "Interest within Unit" as set forth in the fourth column of Exhibit B times the Estimated, Completed-for-Production Costs set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Estimated, Completed-for-Production Costs as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the well development and operation of Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B hereto who has not reached a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$5.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Gas produced from any well development and operation covered by this Order multiplied by that person's "Interest Within Unit" as set forth in the fourth column of Exhibit B (for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person) as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once

the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to and hereby does lease and assign its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Unit Operator.

Option 3 - To Share In The Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the well development and operation of Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a cash bonus consideration under Paragraph 9.2 above, any Gas Owner or Claimant 9.3. named in Exhibit B who has not reached a voluntary agreement with the Unit Operator may elect to share in the well development and operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator") so that the proportionate part of the Completed-for-Production Costs hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Unit Operator until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Costs allocable to the interest of such Carried Well Operator. When the Unit Operator recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such well development.

The election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to have and hereby does assign his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Unit Operator for the period of time during which his interest is carried as above provided prior to its reversion back to such

electing person.

- Failure to Properly Elect: In the event any Gas Owner or Claimant named in Exhibit B hereto has not reached a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner, and in accordance with the terms of this Order one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed well development and operation of Subject Drilling Unit and shall be deemed, subject to any final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies, and shall be deemed to have leased and/or assigned his right, interests, and claims in and to said Gas produced from Subject Formation in Persons who fail to properly Subject Drilling Unit to the Unit Operator. elect shall be deemed to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from Subject Formation underlying Subject Lands.
- Default By Participating Person: In the event a person named in Exhibit B elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Estimated, Completed-for-Production costs as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any 1/8th royalties which would become due pursuant to Paragraph 9.2 hereof.
- 12. Assignment of Interest: In the event a person named in Exhibit B is unable to reach a voluntary agreement to share in the operation of the well contemplated by this Order at a rate of payment agreed to mutually by said Gas Owner or Claimant and the Unit Operator, and said person elects or fails to elect to do other than participate under Paragraph 9.1 above in the development and operation of the well in Subject Drilling Unit, then such person shall be deemed to have and shall have assigned unto Unit Operator such person's right, interests, and claims in and to said well, in Subject Formations in Subject Drilling Unit, and other share in and to Gas production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said elections.
- 13. <u>Unit Operator (or Operator)</u>: Equitable Production Company be and hereby is designated as Unit Operator authorized to drill and operate Well No. VC-504929 in Subject Formations in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code $\S\S$ 45.1-361.27 et seq.; \Longrightarrow 4 VAC 25-

150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; Virginia Gas and Oil Board ("VGOB") Order establishing the Roaring Fork Coalbed Methane Gas Field Rules entered May 31, 1994, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Equitable Production Company 1710 Pennsylvania Avenue Charleston, WV 25363 Phone: (304) 357-3522 Fax: (304) 343-7133 Attn: Melanie Freeman

- 14. Commence of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well covered hereby within seven hundred and thirty (730) days from the date of this Order and shall prosecute the same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums becoming payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which any well covered by this Order is permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the Petition for Appeal and the final Order of the Circuit Court shall be excluded in calculating the two year period referenced herein.
- 15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are a charge against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

16.1 Escrow Account: The Operator has represented to the Board that there are unknown and unlocatable Claimants in Tract 1 of Subject Drilling Unit whose payments are subject to the requirements of Paragraph 16.2 below; and, that there are Conflicting Claimants in Tracts 1, 3 and 4 of Subject Drilling Unit whose payments are subject to the requirements of Paragraph 16.3 below. Therefore, the Escrow Agent named herein or any successor named by the Board is ordered to establish an interest-bearing escrow account for Subject Drilling Unit with subaccounts for Tracts 1, 3 and 4 (herein "the Escrow Account") and to receive and account to the Board pursuant to Paragraphs 16.3 below:

First Union National Bank Corporate Trust PA1328 125 South Broad Street Philadelphia, PA 19109-1199

Telephone: (215) 985-3485 OR (800) 665-9359

Attention: Don Ballinghoff

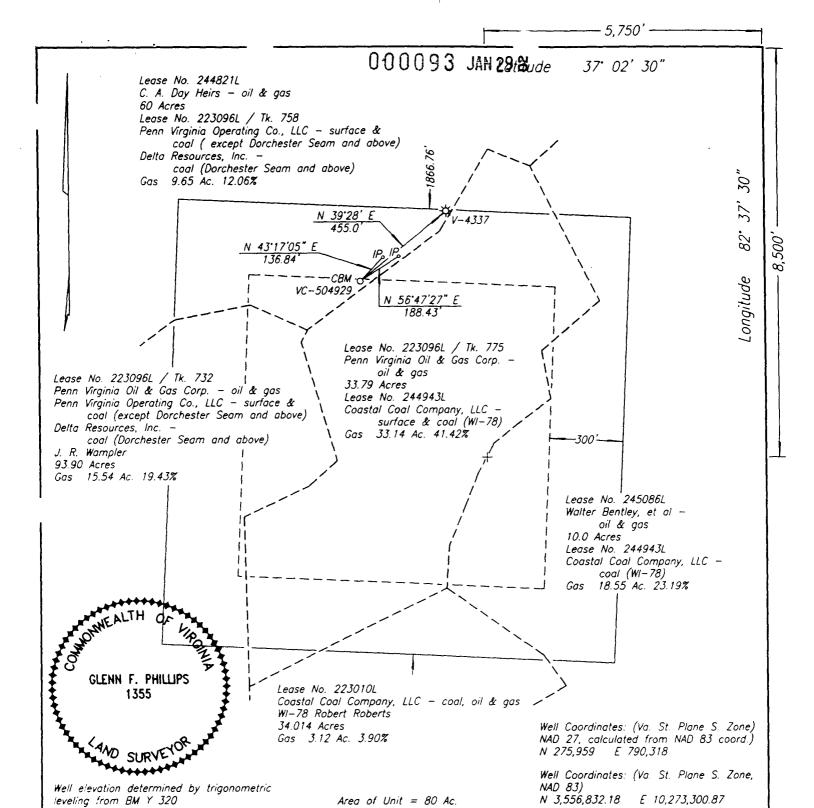
- 16.2Escrow Provisions For Unknown or Unlocatable Persons: payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.
- 16.3 Escrow Provisions for Conflicting Claimants: If any payment of bonus, royalty payment, expenses in excess of ongoing operational or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Operator pursuant to Paragraph 9.1, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, deposited by the Operator into the Escrow Account, commencing within one hundred twenty (120) days of the recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of each month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.
- 17. Special Findings: The Board specifically and specially finds:
- 17.1 Applicant is a West Virginia corporation, duly authorized and qualified to transact business in the Commonwealth of Virginia;
- 17.2 Applicant claims ownership of oil and gas and coalbed methane gas leasehold estates representing 96.23 percent of the gas and oil estate, and 100.00 percent of the coal estate within the Subject Drilling Unit;
- 17.3 Applicant is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
- 17.4 Applicant has proposed the drilling of one Coalbed Methane Well, Well No. VC-504929, to a depth of 2,012 feet on the Subject Lands to develop the Gas in Subject Formations;

- 17.5 Set forth in Exhibit B is the name and last know address of each person identified by the Applicant as having or claiming an interest in the Coalbed Methane Gas in the Subject Drilling Unit underlying and comprised of Subject Lands, including those Gas Owners or Claimants who have not in writing, leased to the Applicant or agreed to voluntarily pool their Gas interest in Subject Drilling Unit for its development. The Gas Owners or Claimants who have not reached a voluntary agreement to share in the operation of the well represent 3.77 percent of the gas and oil estate and 0 percent of the coal estate in Subject Drilling Unit;
- 17.6 The estimated production over the life of the proposed well is 400 million cubic feet;
- 17.7 Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in any well covered hereby are those options provided in paragraph 9 above;
- 17.8 17.9 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person in the Subject Drilling Unit the opportunity to recover or receive, without unnecessary expense, each person's just and fair share of the production of the Gas from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of Gas, prevent or assist in preventing the various types of waste prohibited by statute, and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.
- 18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of receipt of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of receipt of this Order to each person pooled by this Order whose address is known.
- 19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).
- 20. <u>Conclusion</u>: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 21. Appeals: Appeals of this Order are governed by the provisions of Va. Code \ni 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court. Such appeals must be taken in the manner prescribed in the Administrative Process Act, Va. Code \ni 9-6.14:1 et seq.
- 22. <u>Effective Date</u>: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14^{12} day of January, 2002, by a majority of the
Virginia Gas and Oil Board. Chairman, Berny R. Wampler
DONE AND PERFORMED this ZPT day of January, 2002, by Order of this Board.
Principal Executive To The Staff Virginia Gas and Oil Board
STATE OF VIRGINIA) COUNTY OF WISE)
Acknowledged on this day of January, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.
Susan G. Garrett Notary Public
My commission expires July 31, 2002
STATE OF VIRGINIA) COUNTY OF WASHINGTON)
Acknowledged on thisday of January,2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.
Diane J. Davis Notary Public
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My commission expires September 30, 2005

Order Recorded Under Code of Virginia Section 45.1-361.26



Area of Unit = 80 Ac. WELL LOCATION PLAT

COMPANY <u>Equitable Production Company</u>	WELL NAME AND NUMBER VC-504929
TRACT NO. Tk. 758 ELEVATION _	2595.04 QUADRANGLE Flat Gap
COUNTY <u>Wise</u> DISTRICT <u>Gladev</u>	ille SCALE $1'' = 400'$ DATE $11-13-2001$
This Plat is a new plat \times ; an updated plat	; or a final location plat
Denotes the location of a well on United	States topographic Maps, scale 1 to
⁺ 24,000, latitude and longitude lines being	represented by border lines as shown.
De Fhelips	
- 1.17-c-41	

Licensed Professional Engineer or Licensed Land Surveyor

EXHIBIT "B" VC-504929

000094 JAN298

VC-504929 VGOB 01-1218-0996

TRACT	<u>LESSOR</u>	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
		GAS ESTATE ONLY		
1	C. A. "CAPTAIN" DAY HEIRS			
	Victoria Watts Heirs Homer Watts Heirs Clara Watts Heirs			
	Ricky Hampton P O Box 1377 Pound, VA 24279	Leased-EPC 244821L-48	0.287143%	0.2298
	Wanda Stidham P O Box 575 Pound, VA 24279	Leased-EPC 244821L-48	0.287143%	0.2298
	Diane Messer 10215 Mead Fork Rd Pound, VA 24279	Leased-EPC 244821L-48	0.287143%	0.2298
	Ina Sutphin Heirs			
	Winfred Cantrell, Widower 21 Crystal Drive Manheim, PA 17545	Leased-EPC 244821L-59	0.215357%	0.1723
	Elizabeth Kennedy and Howard Kennedy, W/H 835 Rice Run Road Manheim, PA 17545	Leased-EPC 244821L-56	0.215357%	0.1723
	Barbara S. Mullins, Widow 52 W Gramby Street Manheim, PA 17545	Leased-EPC 244821L-53	0.215357%	0.1723
	Donnie Sutphin Heirs			
	Dorothy Sutphin, Widow 10702 Chestnut Street Los Alamitos, CA 90720	Unleased	0.071786%	0.0574
	Thomas Sutphin and Kimberly Sutphin, H/W 735 Eureka Road Wyandotte, MI 48192	Unleased	0.047857%	0.0383

TRACT	<u>LESSOR</u>	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	Ina Willis and Ricky Willis, W/H 4322 McKinley Road Norton, VA 24273	Leased-EPC 244821L-32	0.047857%	0.0383
	Gregory Sutphin, Single 735 Eureka Road Wyandotte, MI 48192	Leased-EPC 244821L-31	0.047857%	0.0383
	Pearl Wampler Heirs			
	James A. Wampler and Eileen M. Wampler H/W P. O. Box 403427 Hesperia, CA 92340	Leased-EPC 244821L-40	0.430714%	0.3446
	Mildred Kirkland, Widow 722 13th Avenue SE Apt. 209 Olympia, WA 98501-7318	Leased-EPC 244821L-52	0.430714%	0.3446
	Ruth Wampler Dean Heirs			
	Bobby Dean, Single 1114 Central Street S.E. Olympia, WA 98501	Unleased	0.143571%	0.1149
	Kenneth Dean, Widower 509 West Harvard Shelton, WA 98584	Leased-EPC 244821L-41	0.143571%	0.1149
	Larry Dean and Laurel Dean, H/W 519 Stoll Road, SE Olympia, WA 98501	Leased-EPC 244821L-61	0.143571%	0.1149
	Thelma Holle Heirs			
	Ricky Holle 1114 Central St S.E. Olympia , WA 98501	Unleased	0.143571%	0.1149
	Frankie Austin Unknown	Unleased	0.143571%	0.1149
	Marcella Lott Heirs			
	Gretta Griffin and Jeff Griffin, W/H 4308 56th Street CT E Tacoma, WA 98443-2480	Unleased	0.047857%	0.0383

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	Gregory Lott Unknown	Unleased	0.047857%	0.0383
	Ronnie Lott 27917 68th Avenue S. Roy, WA 95850-9786	Unleased	0.047857%	0.0383
	Octova Woodruff Heirs			
	Grace Carpenter and Boyd Carpenter, W/H 4095 Fruit Street No 346 La Verne CA 91750-2934	Leased-EPC 244821L-58	0.430714%	0.3446
	Edwin Eugene Woodruff Heirs Flora R. Combs P O Box 1727 Statesville, NC 28687	Leased-EPC 244821L-57	0.430714%	0.3446
	Virginia E. Farr, Widow 5170 Via Del Valle Street La Verne CA 91750	Unleased	0.430714%	0.3446
	Loma Woodruff Heirs Gladys Woodruff Heirs Randall Lee Woodruff 3733 CR 513 Wildwood FL 34785	Unleased	0.430714%	0.3446
	Alice Harris Heirs			
	Cora Couch Heirs			
	Thomas A Couch Sr. 3556 Shore Drive Unit 503 Virginia Beach, VA 23455	Leased-EPC 244821L-38	0.191429%	0.1532
	Lorene C. Bond 8228 Tyndale Road Richmond, VA 23227	Leased-EPC 244821L-38	0.191429%	0.1532
	Doris Irene Couch 8228 Tyndale Road Richmond, VA 23227	Leased-EPC 244821L-38	0.191429%	0.1532
	Mae Brawley Heirs			
	Jane Harris Manhatten 1525 Bayville St Norfolk, VA 23503	Leased-EPC 244821L-39	0.191429%	0.1532

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	Doris Harris Heath 119 Winter Oak Dr Ashland, VA 23005	Leased-EPC 244821L-39	0.191429%	0.1532
	Antioch United Methodist Church Cemetery Fund c/o Bronda M Crouse Route 1 799 Brush Creek Rd Glade Valley, NC 28627	Leased-EPC 244821L-39	0.191429%	0.1532
	Charlie Harris Heirs			
	Carolyn Manhatten Unknown	Unleased	0.574286%	0.4595
	Alley Irwin Heirs Charles Irwin Heirs			
	Hazel Irwin, Widow Box 572 Pound, VA 24279	Leased-EPC 244821L-33	0.000000%	0.0000
	Ronald Irwin and Betty Jean Irwin, H/W 393 Balch Street Morristown, TN 37813	Leased-EPC 244821L-34	1.722857%	1.3786
	E. M. Day Heirs			
	E. M. Day, Jr. 1819 Sharps Chapel Road Sharps Chapel, TN 37866	Unleased	0.215357%	0.1723
	Gladys Woodruff Heirs Randall Lee Woodruff 3733 CR 513 Wildwood FL 34785	Unleased	0.215357%	0.1723
	Edna Addington and Ralph Addington, W/H 7717 W Bloomfield Road Peoria, AZ 85381-5257	Leased-EPC 244821L-45	0.215357%	0.1723
	Mollie Hill Heirs			
	Blanche Gibson, Widow 6659 Union Hall Road Norton, VA 24273-3819	Unleased	0.215357%	0.1723

TRACT	<u>LESSOR</u>	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	Edith Wilson Heirs			
	Janet Jones and Dorsel Jones, W/H Route 4, Box 628 Lafollette, TN 37766	Unleased	0.043071%	0.0345
	Fred E. Wilson and Pauline Wilson, H/W 702 Dunaway Street Miamisburg, OH 45342	Leased-EPC 244821L-86	0.043071%	0.0345
	Jack W. Wilson and Shirley Wilson, H/W 5 Rea Drive Medway, OH 45341	Leased-EPC 244821L-55	0.043071%	0.0345
	Doyle R. Wilson, Sr. Heirs			
	Doyle R. Wilson, Jr. 9909 Sheehan Road Centerville, OH 45458	Leased-EPC 244821L-44	0.021536%	0.0172
	Gloria W. Hoefler 2656 Washington Mill Road Bellbrook, OH 45305	Leased-EPC 244821L-44	0.021536%	0.0172
	Ruth Wilson Heirs			
	Kenneth E. Chitwood, single 5216 Buckner Drive Huber Heights, OH 45424	Leased-EPC 244821L-54	0.021536%	0.0172
	Cynthia Hunt and Kevin Hunt W/H 6066 Leycross Drive Huber Heights, OH 45424	Unleased	0.021536%	0.0172
	Elizabeth Bolling Heirs			
	Guy Bolling and Hellen Bolling, H/W P. O. Box 1772 Wise, VA 24293	Leased-EPC 244821L-30	0.053839%	0.0431
	Barbara Lankist P. O. Box 254 Coleman, FL 33521	Leased-EPC 244821L-50	0.053839%	0.0431

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	Pauline Roberts and Carl Roberts, W/H 1050 Circle Drive Wise, VA 24293	Leased-EPC 244821L-46	0.053839%	0.0431
	Kathy Bolling and Harold Bolling (W/H) PO Box 61 Coleman FL 33521-0061	Leased-EPC 244821L-51	0.053840%	0.0431
	W. M. Day Heirs			
	Aggie Day Heirs			
	Ronald Wayne Day Unknown	Unleased	0.215358%	0.1724
	Louie Presley Heirs			
	Marshall Presley Heirs			
	Gay Nell Presley, Widow 6369A Guest River Road Norton, VA 24273	Leased-EPC 244821L-27	0.430714%	0.3446
	Harry Presley Heirs			
	Ova Presley Heirs			
	Robin Presley, single 3115 S. Brown St. Anderson, IN 40616	Leased-EPC 244821L-37	0.071786%	0.0574
	Stephen R Presley Sr. a/k/a Randy Presley 6217 Verdict Court Chesterfield, VA 23832	Leased-EPC 244821L-37	0.071786%	0.0574
	Hubert Presley Heirs			
	Virginia Presley Moore P O Box 1038 Wise, VA 24293	Unleased	0.287144%	0.2298
	Maxie Gardner Heirs			
	Mary Ann Jones and C. Sterling Jones, W/H 410 39th Court Vero Beach, FL 32968	Leased-EPC 244821L-43	0.430714%	0.3446

		AGOR 01-1518-0330		
TRACT	<u>LESSOR</u>	LEASE STATUS	INTEREST 00 WITHIN UNIT	JAN 29 N GROSS ACREAGE IN UNIT
	Edward Delong Heirs Unknown	Unleased	0.430714%	0.3446
	Penn Virginia Oil & Gas Corp. Attn: Jim Harsha P. O. Box 387 Duffield, VA. 24244-0387	Leased-EPC 223096L-01 TR 758	0.215358%	0.1724
2	Penn Virginia Oil & Gas Corp. Attn: Jim Harsha P. O. Box 387 Duffield, VA. 24244-0387	Leased-EPC 223096L-01 TR 732	19.430000%	15.5400
3	Penn Virginia Oil & Gas Corp. Attn: Jim Harsha P. O. Box 387 Duffield, VA. 24244-0387	Leased-EPC 223096L-01 TR 775	41.420000%	33.1400
4	Clarence Bentley 512 Wampler Road Baltimore MD 21220	Leased-EPC 245086L-01	7.730000%	6.1830
	Willard Bentley and Glenda Bentley, H/W 2865 Jasmine Road Sandy Level, VA 24161	Leased-EPC 245086L-02	7.730000%	6.1830
	Walter Bentley and Wilma Bentley, H/W 195 Morgan Branch Lane Chucky TN 37641	Leased-EPC 245086L-03	7.730000%	6.1840
5	Coastal Coal Company, LLC (Formerly ANR Coal Company, LLC) P. O. Box 1871 Roanoke, VA 24228	Leased-EPC 223010L TR WI-78	3.900000%	3.1200
	Total Gas Estate		100.000000%	80.0000
	of Unit Leased of Unit Unleased		96.226465% 3.773535%	
	Jnit Leased Jnit Unleased			76.9806 3.0194

J00101 JAN 298

TRACT	<u>LESSOR</u>	LEASE <u>STATUS</u>	INTEREST WITHIN <u>UNIT</u>	GROSS ACREAGE IN UNIT
	9	Coal Estate Only		
1	Penn Virginia Operating Company, LLC Attn: Keith Horton P. O. Box 387 Duffield, VA. 24244-0387	Leased-EPC 223096L-01 TR 758	12.060000%	9.6500
2	Penn Virginia Operating Company, LLC Attn: Keith Horton P. O. Box 387 Duffield, VA. 24244-0387	Leased-EPC 223096L-01 TR 732	19.430000%	15.5400
3	Coastal Coal Company, LLC (Formerly ANR Coal Company, LLC) P. O. Box 1871 Roanoke, VA 24228	Leased-EPC 244943L TR WI-78	41.420000%	33.1400
4	Coastal Coal Company, LLC (Formerly ANR Coal Company, LLC) P. O. Box 1871 Roanoke, VA 24228	Leased-EPC 244943L TR WI-78	23.190000%	18.5500
5	Coastal Coal Company, LLC (Formerly ANR Coal Company, LLC) P. O. Box 1871 Roanoke, VA 24228	Leased-EPC 223010L TR WI-78	3.900000%	3.1200
	Total Coal Estate		100.000000%	80.0000

Percentage of Unit Leased Percentage of Unit Unleased

Acreage in Unit Leased Acreage in Unit Unleased 100.000000% 0.000000%

INSTRUMENT #200200442 80.00

RECORDED IN THE CLERK'S OFF RECORDED

WISE COUNTY ON 0.0000

JANUARY 29, 2002 AT 01:43PM

J. JACK KENNEDY, JR., CLERK

Instru	nstrument Control Number			

Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

	[ILS VLR Cover Sheet Age	nt 1.0.59]	REC	ORDED IN THE CLERK	'S OFFICE OF
T C A O X R	-	1/28/02] .GL-PL]		WISE COUNTY JANUARY 29, 2002 A J. JACK KENNEDY, J	T 01:43PM
E X	Number of Parcels [Number of Pages [1] 19]	BY: _	Thanks	(DC)
E M P		Vise	First and Second	(Box for Deed S	Stamp Only)
<u></u>	Last Name	F	irst Name	Middle Name or Initi	ial Suffix
\mathbf{x}	[Virginia Gas and Oil Bo][]][
	[][][][
			First and Second		
	Last Name [Hampton	F] [Ricky	First Name	Middle Name or Initi	
一一一	[Stidham] [Wanda		[[][
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	Consideration [0.00		ting Debt [0.00] Assumption Ba] [] [lance [0.00]
	Prior Instr. Recorded at: Book [] Parcel Identification No (Tax Map Num. (if differ Short Property Description)	Pag (PIN) ent than PIN)	•	Instr. No	in this Juris. [100] []
	Current Property Addres	s (Address 1) (Address 2) City, State, Zip)	L .		[[[][][
	Instrument Prepared by		[Sandra Riggs		
	Recording Paid for by			nes, Minerals & Energy]
	Return Recording to (N (A	ame) ddress 1)	[Diane Davis [DMME	,	·]
		ddress 2) ity, State, Zip)	[P. O. Box 1416 [Abingdon [0112180996	1 [] [VA] [24212]
] L]
				L BPLFU, LAIT.BPL V.L.U. BIL. BIL. BIL BBL 111	

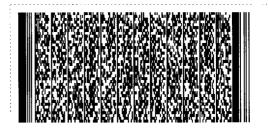


Cover Sheet Page # 1 of 6

Prior Instr. Recorded at: City County [Percent. in this Juris. [
Book [] Page []	instr. No [
Parcel Identification No (PIN) [
Tax Map Num. (if different than PIN)	
Short Property Description [
Current Property Address (Address 1)	
(Address 2)	
(City, State, Zip)	. 11 11



	•	•	Instrument Control Number		000079 JAN 298	
			Commonwealth Land Record Instru Continuation Cove Form B [ILS VLR Cover Sheet Agen	uments r Sheet		
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E	A A N N T T O E	R P	Number of Parcels [Number of Pages [1] 19]		
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Р			Last Name	Grantors/Grantees/Pa	arcel Continuation Form B Middle Name or Initial	Suffix
					Middle Hame of finda	
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		•		Instrument Control Number		000080 J	AN 29 B
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T				Last Name	First Name	Middle Name or Ir	nitial Suffix
				[Couch [Manhatten [Heath [Antioch United Methodi [Manhatten [Irwin [Irwin [Day [Woodruff [Addington [Addington [Jones] [Lorene] [Doris] [Jane] [Doris] [] [Carolyn] [Hazel] [Ronald] [Betty] [E.] [Randall] [Edna] [Ralph] [Blanche] [Janet] [C.] [Irene] [Harris] [Harris] [] [] [] [] [] [] [Lean] [M.] [Lee] [] [] [] [] [] [] [] [] [] [][][][][][][][][Jr.][][][][
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T G A R X A N E T	G R A N T	C O R P	Date of Instrument: Instrument Type: Number of Parcels	[01/28/02] [AGL-PL] [1]			
X O	E		Number of Pages City X County	[19] [Wise	1	(Box for Deed Stamp	Only)
M P			City X County		es/Parcel Cont	inuation Form B	
T			Last Name	First Nam	е	Middle Name or Initial	Suffix
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			Prior Instr. Recorded Book [] Parcel Identification I Tax Map Num. (if d Short Property Descr	Page No (PIN) [lifferent than PIN) [ription [[]] Percent. in thi	s Juris. [



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OFFICIAL RECEIPT

DATE: 01/29/02 TIME: 13:45:31 ACCOUNT: 195CLR200200442 RECEIPT: 020000000973
CASHIER: VSR REG: W806 TYPE: AGL PAYMENT: FULL PAYMENT
INSTRUMENT : 200200442 BOCK: PASE: RECORDED: 01/29/02 AT 13:43
SRANTOR: VIRSINIA SAS AND DIL BOARD
EXAMPER: HAMPTON, RICKY
AND ADDRESS: N/A N/A
RECEIVED OF: DEPARTMENT OF MINES, MINERALS DATE OF DEED: 01/28/02
CHECK: \$29.00
DESCRIPTION :
2: PASE: 19
WAMES: 0
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E9.00
TENDERED : \$29.00
CHANSE AMT : .00

CLERK OF COURT: J. JACK KENNESY, JR.

(114:7-039 2/01)

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